IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE
GREENEVILLE DIVISION

MAXCHIEF INVESTMENTS LIMITED,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 2:15-cv-00153
	)	
WOK & PAN, IND., INC.,	)	
	)	
Defendant.	)	

DEFENDANT'S MOTION TO DISMISS UNDER FED. R. CIV. P. 12(b)(2)
OR, ALTERNATIVELY, MOTION TO TRANSFER
OR FOR PARTIAL DISMISSAL UNDER FED. R. CIV. P. 12(b)(6)

Pursuant to Fed. R. Civ. P. 12(b)(2), Defendant Wok & Pan, Ind. Inc. ("Wok & Pan")

moves to dismiss the First Amended Complaint of Plaintiff Maxchief Investments Limited

("Plaintiff") for lack of personal jurisdiction over Wok & Pan. Alternatively, Wok & Pan moves

to transfer this case to the U.S. District Court for the Central District of California pursuant to 28

U.S.C. 1404(a) and/or for partial dismissal of Count VI of Plaintiff's First Amended Complaint

under Fed. R. Civ. P. 12(b)6). In further support of this motion, Wok & Pan relies on the brief

filed concurrently herewith.

Dated: <u>September 19, 2016</u>   Respectfully submitted,
WOK & PAN, IND., INC.

<u>s/ Andrew C. Lake</u>
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Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on the 19th day of September, 2016, a copy of the foregoing DEFENDANT'S MOTION TO DISMISS UNDER FED. R. CIV. P. 12(b)(2) OR, ALTERNATIVELY, MOTION TO TRANSFER OR FOR PARTIAL DISMISSAL UNDER FED. R. CIV. P. 12(b)(6) was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/ Andrew C. Lake
Andrew C. Lake